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The Honorable Senator Joseph J. Crisco, Jr.
Joint Committee on Insurance and Real Estate
Legislative Office Building
Room 2800
Hartford, CT 06106-1591

The Honorable Representative Robert W. Megna
Joint Committee on Insurance and Real Estate
Legislative Office Building
Room 2802
Hartford, CT 06106-1591

February 24, 2015

Re: OPPOSE HB 5193, Testimony from the Human Rights Campaign before the Joint Committee on Insurance and Real Estate Concerning Health Insurance Coverage for Transgender People

Dear Chairpersons Crisco and Megna,

The Human Rights Campaign (HRC), on behalf of its more than 18,000 members in Connecticut, strongly opposes HB 5193, a bill which will undermine important healthcare protections for transgender people in Connecticut. We urge you to vote against this harmful and unnecessary bill.

The Human Rights Campaign is America's largest civil rights organization working to achieve lesbian, gay, bisexual and transgender (LGBT) equality. By inspiring and engaging all Americans, HRC strives to end discrimination against LGBT citizens and realize a nation that achieves fundamental fairness and equality for all. As an advocate for LGBT people, HRC believes that no one should be denied appropriate healthcare because of their gender identity or expression.

Sources such as the Institute of Medicine,¹ Healthy People 2020,² the Substance Abuse and Mental Health Services Administration,³ and the National Healthcare Disparities Report⁴ indicate that LGBT individuals and their families are disproportionately likely to live in poverty, to be uninsured, and to face substantial barriers to quality health care, including refusals of care, substandard care, inequitable policies and practices, and exclusion from health outreach or education efforts.⁵ Transgender people, in particular, depend on access to healthcare providers in order address their health needs and access transition-related care. Professional medical and mental health organizations such as the American Medical Association⁶ and the American Psychological Association⁷ have long supported access to appropriate and affirming health care for transgender people. Without access to appropriate care, transgender people are at heightened risk for depression, anxiety, and suicide. According to the National Transgender Discrimination Survey, 19% of transgender people have been refused health care by medical providers due to their status, making non-discrimination protections especially vital for this population.⁸

As in the District of Columbia and eight other states,⁹ the Connecticut Insurance Department has issued an insurance bulletin to clarify that insurance providers may not issue plans with arbitrary or discriminatory exclusions pertaining to transition-related care.¹⁰ This bulletin clarified that, in accordance with state non-discrimination law,¹¹ "medically necessary services related to gender dysphoria should not be handled differently from medically necessary services for other medical and behavioral health conditions." Furthermore, the U.S. Department of Health and Human Services has made clear that, under the Affordable Care Act, states have a duty to prevent discrimination on the basis of sexual orientation and gender identity in the provision of insurance and health care.¹² Due to these critical non-discrimination protections at the state and federal level and the guidance from the



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Insurance Department, transgender people in Connecticut have made great strides toward full coverage of medically appropriate services, to which access had previously been denied. This bill would undermine that progress and subject transgender people in Connecticut to continued discrimination in healthcare.

We urge you to oppose this harmful bill which serves no purpose but to undermine existing non-discrimination protections allowing transgender people to obtain medically necessary healthcare. If you should have any questions regarding HRC's testimony, please contact me at 202-572-8960 or by email at Alison.Gill@hrc.org.

Sincerely,

Alison Gill
Senior Legislative Counsel
Human Rights Campaign

¹ Institute of Medicine. 2011. *The Health of Lesbian, Gay, Bisexual, and Transgender People: Building a Foundation for Better Understanding*. Available from <http://www.iom.edu/Reports/2011/The-Health-of-Lesbian-Gay-Bisexual-and-Transgender-People.aspx>

² Department of Health and Human Services. 2010. "Lesbian, Gay, Bisexual, and Transgender Health." Available from <http://www.healthypeople.gov/2020/topicsobjectives2020/overview.aspx?topicid=25>

³ Substance Abuse and Mental Health Services Administration, *Top Health Issues for LGBT Populations Information & Resource Kit*, HHS Publication No. (SMA) 12-4684. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2012. Available from <http://store.samhsa.gov/shin/content/SMA12-4684/SMA12-4684.pdf>

⁴ Agency for Healthcare Research and Quality. 2012. *National Healthcare Disparities Report*. Available from <http://www.ahrq.gov/qual/nhdr11/nhdr11.pdf>

⁵ The Joint Commission. 2011. "Advancing Effective Communication, Cultural Competence, and Patient- and Family-Centered Care for the LGBT Community: A Field Guide." Available from <http://www.jointcommission.org/assets/1/18/LGBTFieldGuide.pdf>

⁶ American Medical Association. 2008. *Removing Financial Barriers to Care for Transgender Patients*. Available from http://www.tgender.net/tav/ama_resolutions.pdf

⁷ American Psychological Association. 2008. *Policy on Transgender, Gender Identity & Gender Expression Non-Discrimination*. Available from <http://www.apa.org/about/policy/transgender.aspx>

⁸ Grant, Jaime M., Lisa A. Mottet, Justin Tanis, Jack Harrison, Jody L. Herman, and Mara Keisling. *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey*. Washington: National Center for Transgender Equality and National Gay and Lesbian Task Force, 2011. Available from http://www.thetaskforce.org/downloads/reports/reports/ntds_full.pdf

⁹ The following states prohibit arbitrary insurance exclusions for transition-related healthcare: California, Colorado, Connecticut, District of Columbia, Illinois, Massachusetts, New York, Oregon, Vermont, and Washington. See Gill, A.M. (2015). *2014 State Equality Index*. Washington, DC: Human Rights Campaign Foundation. Available from www.hrc.org/SEI

¹⁰ CT Insurance Dept., Bulletin IC-34. *Gender Identity Nondiscrimination Requirements*. (Dec. 19, 2013). Available from http://www.ct.gov/cid/lib/cid/Bulletin_IC-37_Gender_Identity_Nondiscrimination_Requirements.pdf

¹¹ Connecticut Public Act 11-55 (2011).

¹² 45 C.F.R. § 155.120.